

**I. AMENDMENT**

Please make the following amendments:

**A. Claim Amendments**

1. (canceled)
2. (previously presented) The vertical adjustment apparatus according to claims 5, 6, or 13, wherein a keyboard tray is attached to the upper tray, the device being a keyboard resting in the keyboard tray.
3. (cancelled)
4. (cancelled)
5. (currently amended) A vertical adjustment apparatus attachable to a workstation by a keyboard mechanism, the apparatus comprising:

a base tray attachable to the keyboard mechanism;

an upper tray to support a device at an adjustable height above the base tray;

a first leg having an upper end pivotally attachable to the upper tray and a lower end slidable along the base tray;

a second leg having a lower end pivotally attachable with the base tray and an upper end slidably attachable with the upper tray, wherein the adjustable height may be adjusted from a first height to accommodate a user utilizing the device in a seated position, to a second height to accommodate the user in a standing position; and

locking means to selectively lock the upper tray at a predetermined height above the base tray, the locking means having

a member pivotally attached to the second leg, the member having at least one notch; and

a post in the first leg to selectively engage ~~one of the~~ said at least one notches to selectively lock the upper tray at a predetermined height.

6. (previously presented) A vertical adjustment apparatus attachable to a workstation by a keyboard mechanism, the apparatus comprising:

a base tray attachable to the keyboard mechanism;

an upper tray to support a device at an adjustable height above the base tray;

a first leg having an upper end pivotally attachable to the upper tray and a lower end slidable along the base tray;

a second leg having a lower end pivotally attachable to the base tray and an upper end slidable along the upper tray, wherein the adjustable height may be adjusted from a first height to accommodate a user utilizing the device in a seated position, to a second height to accommodate the user in a standing position; and

locking means to selectively lock the upper tray at a predetermined height above the base tray, the locking means having a rod running parallel with a channel in the upper tray and

a slidable member attached to the upper tray and circumscribing the rod, and selectively engaging the rod.

7. (original) The vertical adjustment apparatus of claim 6, in which the slidable member comprises at least one toggle circumscribing the rod such that the slidable member is moveable along the rod when the toggle is in a first position, and the slidable member is locked on the rod when the toggle is in a second position.

8. (previously presented) The vertical adjustment apparatus of claim 7, in which the toggle is biased in the second position by a spring

9. (previously presented) The vertical adjustment apparatus according to claims 5, 6, or 13 in which the first and second legs are moveably attached at a pivot.
10. (previously presented) The vertical adjustment apparatus of claim 13 in which the locking means comprises a frustoconical member functionally associated with a pivot, the first and second legs being moveably attached at the pivot.
11. (original) The vertical adjustment apparatus of claim 10, in which the frustoconical member further comprises:
- a first locking member having teeth; and
  - a second locking member having teeth,
- the teeth of the first locking member adapted to interlock with the teeth in the second locking member when the frustoconical member is in a first locking position, the first locking member being rotatable relative to the second locking member when the frustoconical member is in a second free position, the height of the upper tray being adjustable when the frustoconical member is in the second free position.
12. (original) The vertical adjustment apparatus of claim 11, further comprising a spring to bias the frustoconical member toward the first locking position and a pin adapted to connect the first and second locking members.
13. (currently amended) A vertical adjustment apparatus attachable to a workstation by a keyboard mechanism, the apparatus comprising:
- a base tray attachable to the keyboard mechanism;
  - an upper tray to support a device at an adjustable height above the base tray;
  - a first leg having an upper end pivotally attachable to the upper tray and a lower end slidable along the base tray;

a second leg having a lower end pivotally attachable to the base tray and an upper end slidable along the upper tray, wherein the adjustable height may be adjusted from a first height adapted to accommodate a user utilizing the device in a seated position, to a second height adapted to accommodate the user in a standing position, the first and second legs being moveably attached at a pivot; and locking means to selectively lock the upper tray at a predetermined height above the base tray; ~~the locking means having~~ at least one base channel in the base tray, the lower end of the first leg having a first rod to slidably engage the at least one base channel; and at least one upper channel in the upper tray, the upper end of the second leg having a second rod to slidably engage the at least one upper channel.

14. (previously presented) The vertical adjustment apparatus of claim 13 further comprising power means to elevate the upper tray over the base tray.

15. (previously presented) The vertical adjustment apparatus of claim 14 in which the power means comprises a pneumatic device connectable between the upper tray and base tray.

16. (original) The apparatus of claim 15 in which the pneumatic device comprises a gas lift device.

17. (original) The vertical adjustment apparatus of claim 14 in which the power means comprises a rotatable lead screw functionally associated with the base tray, the lower end of the first leg being attachable to the thread of the lead screw by attachment means, the lower end of the first leg moving linearly along the lead screw as the lead screw is rotated, the movement of the first leg acting to change the height of the upper tray over the base tray.

18. (original) The vertical adjustment apparatus of claim 17 in which the lead screw is selectively rotatable by an electric motor.
19. (previously presented) The vertical adjustment apparatus as in claims 5, 6, or 13 in which the base tray and the upper tray are structurally identical.
20. (previously presented) The vertical adjustment apparatus according to claims 5, 6, or 13 further comprising:
- a third leg having an upper end pivotably attachable to the upper tray and a lower end slidably attached with the base tray; and
  - a fourth leg having a lower end pivotably attachable to the base tray and an upper end slidably along the upper tray.
21. (original) The vertical adjustment apparatus of claim 20 in which the upper end of the third leg is pivotally attached to the upper tray and the lower end of the fourth leg is pivotally attached to the base tray.
22. (previously presented) A vertical adjustment elevation device for a desk, comprising:
- an upper tray to support a keyboard at an adjustable height above a desk;
  - a first leg having an upper end pivotally attachable to the upper tray and a lower end slidable along the desk;
  - a second leg having a lower end pivotally attached to the desk and an upper end slidable along the upper tray, wherein the predetermined height may be adjusted from a first height to a second height; and
  - a member pivotally attached to the second leg, the member having at least one notch, and a post in the first leg to selectively engage one of the at least one notches to selectively lock the upper tray at a predetermined height.

23. (previously presented) The apparatus of claim 22 further comprising a base tray, the lower end of the first leg slidably attached to the base tray, the lower end of the second leg pivotally attached to the base tray.

24. (currently amended) A method of elevating a device, comprising:

providing an apparatus having,

a base tray attachable to a keyboard mechanism, the base tray having at least one base channel,

an upper tray to support the device at an adjustable height above the base tray, the upper tray having at least one upper channel,

a first leg having an upper end pivotally attachable to the upper tray and a lower end having a first rod to slidably engage the at least one base channel; on the base tray, and

a second leg having a lower end pivotally attachable to the base tray and an upper end slidable along the upper tray, wherein the adjustable height may be adjusted from a first height adapted to accommodate a user utilizing the device in a seated position, to a second height adapted to accommodate the user in a standing position;

moving the upper tray from the first height to the second height by lifting the upper tray and sliding the lower end of the first leg within the base channel while sliding the upper end of the second leg along the upper tray, allthe while pivoting the upper end of the first leg with the upper tray and pivoting the lower end of the second leg with the base tray; and locking the upper tray at the second height.

25. (previously presented) The method of claim 24, further comprising:

unlocking the upper tray at the first height, by releasing interlocking teeth of a first locking member of a frustoconical member with mating teeth of a second locking member;  
lifting the upper tray from the first height to the second height while pivoting the first and second legs about a pivot, the frustoconical member being located at the pivot; and  
locking the upper tray at the second height by interlocking the teeth of the first locking member of the frustoconical member with mating teeth of a second locking member at the pivot between the first and second legs.

26. (original) The method of claim 25 further comprising:

powering the upper tray to the second height by a pneumatic device.

27. (previously presented) The vertical adjustment apparatus of claim 7 in which the toggle is pivotally mounted on the slidable member.

28. (previously presented) The vertical adjustment apparatus of claim 7 in which the toggle is held in the second position by a pin mating with a hole in the slidable member.

29. (previously presented) A vertical adjustment apparatus attachable to a workstation by a keyboard mechanism, the apparatus comprising:

a base tray attachable to the keyboard mechanism;

an upper tray to support a device at an adjustable height above the base tray;

a first leg having an upper end pivotally attachable to the upper tray and a lower end slidably attachable with the base tray;

a second leg having a lower end pivotally attachable to the base tray and an upper end slidable along the upper tray, wherein the adjustable height may be adjusted from a first height adapted to accommodate a user utilizing the device in a seated

position, to a second height adapted to accommodate the user in a standing position; and

locking means to selectively lock the upper tray at a predetermined height above the base tray, the locking means having a member pivotally attached to the first leg, the member having at least one notch; and  
a post in the second leg to selectively engage one of the at least one notches to selectively lock the upper tray at the predetermined height.